

Restriction Requirement

The Office has required restriction to one of the following groups of claims:

Group I: Claims 1-20, drawn to a method of forming a weakness in a web, classified in Class 225, subclass 2; and

Group II: Claims 21-23, drawn to a method of making a tampon, classified in Class 604, subclass 358.

The Office Action indicates that Groups I and II are related as combination and subcombination. It indicates that the combination as claimed does not require the particulars of the subcombination as claimed, because it does not require the use of a knife or ultrasonic or laser energy to separate the web. It further indicates that the subcombination has separate utility, such as tearing off individual sheets of foil at the point of use. Applicants hereby elect Group II, with traverse and respectfully request reconsideration of the Restriction Requirement.

Based upon the characterizations in the Office Action, Applicants understand that Group I is the combination. However, Applicants also notice that Claims 1-20 do include dependent claims relating to the use of a knife or ultrasonic or laser energy to weaken the web. Therefore, it is not clear how this differs from what is described as the subcombination which apparently requires such weakening tools or techniques. Further, Applicants do not comprehend how the Group II, the subcombination, can be used to tear off individual sheets of foil at the point of use. Claims 21-23 relate to the manufacture of a tampon. No recitation of a foil is employed.

Finally, Applicants submit that the claims in the groups are related, and complete examination cannot be made of either group of claims without searching and considering the art in the other group's classification. Therefore, Applicants submit that it would be more efficient to search and examine both claim groupings together. That being the case, Applicants submit that it would be more burdensome upon them to have to prosecute two separate applications for the identified claims than it would be for the Patent Office to



Creation date: 06-01-2004
Indexing Officer: GMIHTSUN - GHENET MIHTSUN
Team: OIPEBackFileIndexing
Dossier: 09343759

Legal Date: 05-31-2001

No.	Doccode	Number of pages
1	CTNF	6

Total number of pages: 6

Remarks:

Order of re-scan issued on